

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed Emergency After Notice

Pursuant to the authority of Iowa Code section 105.4, the Iowa Plumbing and Mechanical Systems Board hereby amends Chapter 28, “Plumbing and Mechanical Systems Licensure Fees,” Iowa Administrative Code.

The rules in Chapter 28 describe the fees applicable to the various licenses issued by the Plumbing and Mechanical Systems Board. These amendments reflect the changes mandated by 2009 Iowa Acts, chapter 151.

Notice of Intended Action was published in the Iowa Administrative Bulletin on December 2, 2009, as **ARC 8361B**. A public hearing was held on December 22, 2009. Two comments were received pertaining to the amendments to Chapter 28. One was general in nature and the other referenced the geothermal installer license. The Board has elected to remove all references to the geothermal license to allow additional time for the interested parties to work with the Board on resolving their differences; the only changes made to this rule were to remove references to the geothermal licenses.

The Board finds, pursuant to Iowa Code section 17A.5(2)“b”(2), that the normal effective date of the amendments should be waived and these amendments should be made effective upon filing, as implementation of the changes mandated by 2009 Iowa Acts, chapter 151, confers a benefit to regulated parties.

The Plumbing and Mechanical Systems Board adopted these amendments on January 19, 2010.

These amendments became effective January 26, 2010.

These amendments are intended to implement Iowa Code chapter 105 and 2009 Iowa Acts, chapter 151.

The following amendments are adopted.

ITEM 1. Amend **641—Chapter 28**, title, as follows:

PLUMBING AND MECHANICAL SYSTEMS BOARD—LICENSURE FEES

ITEM 2. Amend subrule 28.1(1) as follows:

28.1(1) License fee for:

a. to *c.* No change.

~~*d.* A combined license is the sum total of each of the separate license fees.~~

e. d. A medical gas pipe certificate as defined in 641—29.3(105) is \$50.

f. e. An inactive license as defined in 641—~~subrule 29.2(4)~~ subrules 29.2(5) and 29.2(6) is \$50.

f. A contractor license as defined in 641—~~subrule 29.2(4)~~ is \$250.

g. A special restricted license as defined in 641—subrules 29.2(8), 29.2(9), 29.2(10), and 29.2(11) is \$50.

ITEM 3. Rescind paragraphs **28.1(2)“d”** and **“e.”**

ITEM 4. Amend subrule 28.1(3) as follows:

28.1(3) Renewal license fee for:

a. to *c.* No change.

~~*d.* A combined license is the sum total of each of the separate license fees.~~

e. d. A medical gas pipe certificate as defined in 641—29.3(105) is \$50.

f. e. An inactive license as defined in 641—~~subrule 29.2(4)~~ subrules 29.2(5) and 29.2(6) is \$50.

f. A contractor license as defined in 641—~~subrule 29.2(4)~~ is \$250.

g. A special restricted license as defined in 641—subrules 29.2(8), 29.2(9), 29.2(10), and 29.2(11) is \$50.

ITEM 5. Amend paragraph **28.1(5)“c”** as follows:

c. A licensee who allows a license to lapse for more than two months is required to retake and pass the applicable licensing examination and pay the appropriate renewal of license fee in order to obtain

reinstatement. A licensee whose license has lapsed continues to hold the privilege of licensure in Iowa, but may not work as a plumbing or mechanical professional or contractor in Iowa until the license is renewed. A licensee who works as a plumbing or mechanical professional, including under a special restricted license, or operates as a contractor in the state of Iowa with a lapsed license may be subject to disciplinary action by the board, injunctive action pursuant to Iowa Code section 147.83, criminal sanctions pursuant to Iowa Code section 147.86, and other available legal remedies.

ITEM 6. Adopt the following **new** subrule 28.1(11):

28.1(11) Combined license.

a. For purposes of this subrule, “combined license” shall mean more than one active master or journeyman license under subrules 28.1(1) through 28.1(3) in one or multiple disciplines.

b. A license fee for a combined license shall be the sum total of each of the separate license fees reduced by 30 percent.

c. In order to be eligible for the combined license fee reduction, all individual licenses must be purchased in a single transaction.

[Filed Emergency After Notice 1/26/10, effective 1/26/10]

[Published 2/24/10]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 2/24/10.